

COUNTY OF LOUDOUN

DEPARTMENT OF BUILDING AND DEVELOPMENT

MEMORANDUM

DATE: April 18, 2007

TO: Loudoun County Planning Commission

FROM: Melinda Artman, Zoning Administrator
Marilee Seigfried, Deputy Zoning Administrator
Amy Lohr, Planner, Zoning Administration 

SUBJECT: April 23, 2007, Planning Commission Work Session
ZOAM 2006-0003, Annual Review

For the Annual Review work session on April 23, 2007, please bring the materials distributed for the April 9, 2007 work session:

1. **Staff Comment (Part 1), Planning Commission Work Sessions—3/5/07, 3/12/07, 4/2/07 & 4/9/07.** This matrix has been updated to reflect the Planning Commission's recommendations on items 1 through 40. Attached to this matrix are specific recommendations for Section 5-1400 (item # 41) and proposed language for Section 6-403 (item # 45). Of the remaining items to be reviewed in this matrix, item #'s 44 and 48 are the more difficult, complex or policy related issues in staff's opinion. These issues may impact additional items the Commission may wish to recommend to the Board for consideration in an intent to amend.
2. **Staff Comment (Part 2), Planning Commission Work Session—4/9/07.** This matrix includes items #'s 53 through 78. Likewise, item #'s 54, 57, 62, 64, 68, 69, 73, 74, and 77 are the more difficult, complex or policy related issues in staff's opinion.
3. **Bin Items and Revisions Outside the Scope of the ZORC Draft**

The following attachments are provided for the Annual Review work session on April 9, 2007:

1. Copy Teste of April 17, 2007 Board Action regarding Annual Review
2. Proposed amendments to Section 5-1414

If you have any questions, you may contact Amy Lohr at 703-737-8890 or via e-mail at Amy.Lohr@loudoun.gov.



Loudoun County, Virginia

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Office of the County Administrator

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Telephone (703) 777-0200 • Fax (703) 777-0325

At a business meeting of the Board of Supervisors of Loudoun County, Virginia, held in the County Government Center, Board of Supervisors' Meeting Room, 1 Harrison St., S.E., Leesburg, Virginia, on Tuesday, April 17, 2007 at 9:30 a.m.

IN RE: RESOLUTION OF INTENT TO AMEND ZOAM 2006-0003, ANNUAL REVIEW, TO INCLUDE PLANNING COMMISSION'S REQUESTS

Mrs. Waters moved that the Board of Supervisors adopt the Resolution of Intent to Amend the Revised 1993 Loudoun County Zoning Ordinance as contained in Attachment 2.

Ms. Waters further moved to include the following amendments that were forwarded by Ms. Kurtz (1 and 2) and Mr. Burton (3):

- 1) As A-3 is being amended by ZORC regarding indoor recreation in A-3 District (A-3 is usually close to Towns), expand intent to amend under this item to include examination to allow indoor recreation an appropriate distance beyond the JLMA's and Town boundaries;
- 2) Expand intent to amend to include adding a Remedy to Steep Slope violations so that errors can be appropriately mitigated; and
- 3) Consider changing the definition of farm market as having to produce 25% of the produce on site to producing 25% of the produce within the County.

Seconded by Mr. Tulloch.

Ms. Waters accepted Mr. Delgaudio's friendly amendment to table the review of the performance standards for home occupation with regard to retail sales.

Voting on Ms. Waters' Amended Motion: Supervisors Burton, Clem, Delgaudio, Kurtz, Snow, Staton, Tulloch, Waters, and York - Yes; None - No.

COPY TESTE:

DEPUTY CLERK FOR THE LOUDOUN
COUNTY BOARD OF SUPERVISORS

ATTACHMENT 2

BOARD OF SUPERVISORS OF LOUDOUN COUNTY

RESOLUTION OF INTENT TO AMEND THE ZONING ORDINANCE

WHEREAS, the Board of Supervisors wishes to initiate amendments to the Loudoun County Zoning Ordinance in furtherance of the purposes of zoning as set out in §15.2-2283 of the Code of Virginia and to further implement the comprehensive plan; and

WHEREAS, the Board of Supervisors wishes to initiate amendments to the Loudoun County Zoning Ordinance to implement the recommendations made by the Planning Commission;

NOW, THEREFORE, BE IT RESOLVED, that the Board of Supervisors states its intention to amend the Loudoun County Zoning Ordinance, consistent with the April 17, 2007 action item to the Board of Supervisors, to which this resolution is attached.

BE IT FURTHER RESOLVED that (1) these amendments are in furtherance of the public necessity, convenience, general welfare, and good zoning practice; (2) that these matters be referred to the Planning Commission for preparation of the ordinances; and (3) the proposed amendments on these matters be brought forward for notice, hearing, Planning Commission recommendation and Board of Supervisors' action.

AZ
~~XX~~

BOARD OF SUPERVISORS

ACTION ITEM

14

SUBJECT: Resolution of Intent to Amend the Zoning Ordinance
(To be rolled into ZOAM 2006-0003, Annual Review)

ELECTION DISTRICT: Countywide

CRITICAL ACTION DATE: At the pleasure of the Board

RECOMMENDATIONS:

The Planning Commission recommends inclusion of a limited number of additional zoning ordinance amendments to be rolled into ZOAM 2006-0003, Annual Review.

BACKGROUND: On December 19, 2006, the Board of Supervisors adopted a resolution of intent to amend the Revised 1993 Loudoun County Zoning Ordinance (the "Zoning Ordinance") to implement the recommendations made by the Zoning Ordinance Review Committee (ZORC) as transmitted to the Board on February 10, 2006. The Planning Commission has held a public input session and several work sessions to discuss the ZORC recommendations.

In reviewing the text amendments proposed by ZORC, the Planning Commission identified a number of issues that are technically outside the scope of the amendments proposed by ZORC. On March 6, 2007, the Planning Commission requested that such items be rolled into the Annual Review. The Board directed the Planning Commission to work on a streamlined list of items for the Board to consider (Attachment 1). At this time, a new resolution of intent to amend the Zoning Ordinance (Attachment 2) is requested so that the issues may be rolled into the active Zoning Ordinance Amendment, ZOAM 2006-0003.

The amendments to be considered are:

1. Revise performance standards for Agriculture, Horticulture and Animal Husbandry [Section 5-626], Agriculture Support Uses (Direct Association with Agriculture, Horticulture or Animal Husbandry) [Section 5-627] and Agriculture Support Use (No Direct Association with Agriculture, Horticulture, Animal Husbandry) [Section 5-630] to resolve discrepancies for minimum lot size and setbacks.
2. Revise limitations for freestanding off-street parking facilities in PD-TRC [Section 4-1111(C)].
3. Revise residential districts in Articles 2 and 3 to reflect density (dwellings per acre) and provide consistency with density credit regulations in Article 1.
4. Revise performance standards for Airport/Landing Strip to increase the minimum lot area [Section 5-633].

A3

5. Revise Definitions [Article 8] to add a definition for "solid waste vehicles and containers" to fully implement ZORC recommendation.
6. Revise the PD-IP use list to add "contractor service establishment, excluding retail sales and outdoor storage" to the permitted use list in PD-IP, rather than a special exception use [Sections 4-503 and 4-504].
7. Revise performance standards for retail uses in PD-IP [Section 4-507(E)].
8. Revise performance standards for home occupation with regard to retail sales [Section 5-400(E)].
9. Revise Temporary Uses/Zoning Permits to clarify that this section pertains to all zoning districts [Section 5-500].
10. Revise steep slope definitions and development standards to differentiate between man-made and natural slopes, clarify review procedures for development in steep slopes areas and permit the development of sanitary sewer lines in very steep slope areas, subject to development standards. [Section 5-1508 and Article 8].

ALTERNATIVES:

1. Do not initiate any further amendments to the Revised 1993 Loudoun County Zoning Ordinance at this time.
2. Modify the above list of issues to be rolled into ZOAM 2006-0003.

DRAFT MOTION(S):

1. I move that the Board of Supervisors adopt the Resolution of Intent to Amend the Revised 1993 Loudoun County Zoning Ordinance contained in Attachment 2.

OR

2. I move (an alternate motion).

ATTACHMENTS:

PAGE

- | | |
|--------------------------------------|--------|
| 1. March 6, 2007 Copy Tests and Item | A1 —A3 |
| 2. Resolution of Intent to Amend | A4 |

STAFF CONTACT(S): Melinda Artman, Zoning Administrator
 Marilee Seigfried, Deputy Zoning Administrator
 Amy Lohr, Planner

A4

Section 5-1414, Proposed Minimum/Maximum Buffer Yard Widths

	Existing Minimum	Proposed Minimum	Proposed Maximum
<u>Type 1</u>			
Front:	10'	10'	25'
Rear:	10'	10'	25'
Side:	5'	10'	25'

<u>Type 2</u>			
Front:	15'	15'	25'
Rear:	20'	20'	30'
Side:	15'	20'	30'

<u>Type 3</u>			
Front:	20'	20'	30'
Rear:	25'	25'	30'
Side:	20'	25'	30'

<u>Type 4</u>			
Front:	20'	20'	30'
Rear:	30'	25'	30'
Side:	20'	25'	30'